REMARKS

Claims 1-21 are pending and stand rejected. All pending claims 1-21 are believed to be allowable. Accordingly, a Notice of Allowance for the present application is respectfully requested.

Rejection of Claims 1-6 and 8-15 under 35 U.S.C. §103(a)

Claims 1-4, 6, 8, 10-13, 15-17 and 20-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Batruni. However, the claims are believed to be patentable over and not obvious in view of Batruni.

Independent claim 1 generally recites a telecommunications network having an access multiplexor and a data switch. The access multiplexor includes IDSL interfaces as well as another DSL (i.e., non-IDSL) interfaces. The data switch receives data packets and delivers the data to a remote target irrespective to whether the packet is received on the IDSL or other xDSL interface. The telecommunications network thus enables both IDSL and other DSL interfaces. Independent claims 10 and 15 recite a telecommunications network and a method for providing high speed remote access, respectively, with similar elements as those recited in independent claim 1.

In contrast, Batruni exclusively describes *ADSL (Asymmetric DSL)* interfaces. While Batruni mentions IDSL in his background section, such mention, if anything, teaches away from using IDSL in Batruni's own ADSL network. (See, for example, col. 2, lines 30-36. "In general, an IDSL connection is considered to be sufficient to transfer voice data between TT [touch tone] phones because the volume of data transfer is relatively low. However, in order to transfer data relating to the Internet, e.g., World Wide Web pages and video-on-demand data, an ADSL connection is typically preferred over an IDSL connection.").

Batruni is otherwise devoid of any mention of IDSL, much less IDSL in combination with another DSL (non-IDSL) technology. Batruni expressly describes his invention in terms of ADSL technology and utilizes **ADSL** switch 316 that may include **ADSL** cards (see, for example, col. 7, lines 1-4).

Batruni mentions that the ADSL data rate may vary and "may be up to approximately 8 Mbps, as for example in the range of approximately 6 Mbps to 8 Mbps, or in the range of approximately 128 Kbps to approximately 1.544 Mbps." (Col. 7, lines 55-60). In particular,

Batruni notes that the data rate may vary "depending upon factors including the number of customers associated with central office 308." (Col. 7, lines 51-54). Thus, even if Batruni were transferring at a data rate of 128 Kbps, Batruni is using **ADSL, not IDSL**, as recited in each of independent claims 1, 10 and 15. Indeed, Batruni makes no mention of employing IDSL technology in his network. Thus, Batruni does not and cannot render the claimed inventions obvious.

With respect to the Examiner's contention that the recitation of IDSL is merely a recitation of intended use, Applicants note that claim 1, for example, recites that the access multiplexor include the structural elements of a plurality of *IDSL interfaces* and other interfaces for interfacing with another DSL technology at a greater bandwidth. The IDSL interfaces are positive structural elements of the telecommunications network of claim 1 as is the access multiplexor. Providing both IDSL interfaces and non-IDSL interfaces enables a service provider to provide high speed remote access to any location connected to a central office, not just those that meet the requirements for ADSL as is the case with Batruni. For example, some remote locations cannot support ADSL as the remote location may be more than 3 miles from a central office and/or the underlying local loop between the remote location and the central office may not have a metallic path end-to-end. The network of claim 1 would thus enable a provider to provide high bandwidth connections to any remote location using either the IDSL or another DSL technology.

Furthermore, Batruni not only does not disclose or suggest the addition of IDSL interfaces to an access multiplexor but actually *teaches away* from adding any IDSL interfaces to an access multiplexor. For example, Batruni states that while IDSL may be sufficient for telephone voice data because of the low volume of data transfer, data transfer relating to the Internet requires the higher bandwidth of an ADSL interface. (See, for example, col. 2, lines 30-36). Thus, Batruni does not suggest or disclose the inventions as claimed.

Withdrawal of the rejection of claims 1-4, 6, 8, 10-13, 15-17 and 20-21 under 35 U.S.C. §103(a) is respectfully requested.

Rejection of Claims 7 and 16 under 35 U.S.C. §103(a)

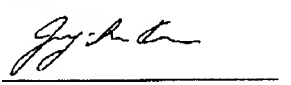
Claims 5, 14, and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Batruni in view of Laubach. Claims 7, 9, and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Batruni in view of Araujo. However, claims 5, 7, 9, 14, 18, and 19 are patentable at least because they depend from claims that are believed to be patentable as discussed above. Therefore, withdrawal of the rejections 35 U.S.C. §103(a) under Batruni in view of Laubach and in view of Araujo is respectfully requested.

CONCLUSION

Applicants believe that all pending claims are allowable and respectfully request a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

In the unlikely event that the transmittal letter accompanying this document is separated from this document and the Patent Office determines that an Extension of Time under 37 CFR 1.136 and/or any other relief is required, Applicant hereby petitions for any required relief including Extensions of Time and/or any other relief and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 50-1217 (Order No. COVD-0013).

Respectfully submitted,



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